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570. 7590 07/20/2011 PANITCH SCHWARZE BELISARIO & NADEL, LLP ONE COMMERCE SQUARE 2005 MARKET STREET, SUITE 2200 PHILADELPHIA, PA 19103				
EXAMINER HUNTSINGER, PETER K				
ART UNIT 2625		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptomail@panitchlaw.com

Office Action Summary

Application No.

10/699,236

Applicant(s)

OCHI, KENGO

Examiner

PETER K. HUNTSINGER

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-25, 27-35 and 38-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-25, 27-35 and 38-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-940)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 23-25, 27-35 and 38-53 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 23-25, 27-35, 38-45, 48 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iida Patent 6,785,023, in further view of Scherr Patent 6,799,248.

Referring to **claims 23 and 39**, Iida '023 discloses wherein the display control information for controlling the display of a status of the data processing apparatus is assigned identification data corresponding to that status (col. 6, lines 1-6, Client machine 202 acquires the necessary files by providing the above file requests and displays the homepage main page (ST 405) including the respective icon for status composed based on the status file).

Referring to **claims 24 and 40**, Iida '023 discloses in which a status is displayed by selecting display information associated with the identification data relating to that status, and controlling the display of the status using the display control information (col.

6, lines 1-6, As illustrated in FIG. 7, the main page displays respective icon of document folder and setting/tool composed based on the main files and respective icon for status composed based on the status file).

Referring to **claim 25**, lida '023 discloses a status is displayed with its identification data (col. 7-8, lines 49-67, 1-4, When the update time passes with the status icons displayed on the homepage main page (ST1003), client machine 202 reads the status html again from the network facsimile apparatus again and displays the status icons by the newly read status html)

Referring to **claim 27**, lida '023 discloses wherein the data processing apparatus stores information relating to its status (col. 7, lines 21-31, In the relation table, file names (gif file) of printer status icons are registered corresponding to respective printer status numbers).

Referring to **claim 28**, lida '023 discloses status update information is determined when the status of the data processing apparatus changes (col. 7-8, lines 49-67, 1-4, When the update time passes with the status icons displayed on the homepage main page (ST1003), client machine 202 reads the status html again from the network facsimile apparatus again and displays the status icons by the newly read status html).

Referring to **claim 29**, lida '023 discloses wherein the client terminal stores information relating to the status of the data processing apparatus (col. 6, lines 1-6, Client machine 202 acquires the necessary files by providing the above file requests and displays the homepage main page (ST 405) including the respective icon for status composed based on the status file).

Referring to **claim 30**, lida '023 discloses the client terminal compares stored status information with status update information received from the data processing apparatus in response to the subsequent data request in order to determine the updated status (col. 8, lines 5-16, When update time setting icon 67 is selected, the WWW browser provides a request for setting page file (ST406)) (col. 7, lines 33-48, a changed status icon is displayed when a device change occurs at a device in the network facsimile apparatus during a designated time duration).

Referring to **claim 31**, lida '023 discloses wherein the data processing apparatus stores update interval information for controlling an interval for the transmission of status update information (col. 6, lines 30-32, a time to update the status icon is set at a line of in the status file).

Referring to **claim 32**, lida '023 discloses status requests are provided to the data processing apparatus at an interval based on the update interval information (col. 6, lines 30-32, a time to update the status icon is set at a line of in the status file).

Referring to **claims 33 and 42**, lida '023 discloses wherein the data processing apparatus is an image forming apparatus (network facsimile apparatus 201 of Fig. 3).

Referring to **claims 34 and 43**, lida '023 discloses the status of the data processing apparatus indicates that it is able to perform a print function, or that there is an error (col. 7, lines 33-48, when client machine 202 reads the updated status html, printer status icon 62 is changed to an icon indicative of out of paper).

Referring to **claims 35 and 44**, lida '023 discloses in which the status information indicates an error type (col. 7, lines 33-48, when client machine 202 reads the updated status html, printer status icon 62 is changed to an icon indicative of out of paper).

Referring to **claim 38**, lida '023 discloses means for generating status update information when the status of the apparatus changes (col. 6, lines 33-37, when status information generating section 41 detects a status change of each section, the section 41 updates the corresponding data of status html)

Referring to **claim 41**, lida '023 discloses wherein the display control information obtains the display information corresponding to the status update information (col. 7-8, lines 49-67, 1-4, When the update time passes with the status icons displayed on the homepage main page (ST1003), client machine 202 reads the status html again from the network facsimile apparatus again and displays the status icons by the newly read status html).

Referring to **claims 45 and 48**, lida '023 discloses a method of controlling the display on a client terminal (client machine 202 of Fig. 3) of a status of a data processing apparatus connected to the client terminal via a network (network facsimile apparatus 201 of Fig. 3) comprising:

transmitting a first request for display control information to the data processing apparatus (col. 5, lines 41-43, Client machine 202 connected to a network starts a WWW browser (browsing software), and enters the URL of the network facsimile apparatus to access (ST401));

providing the display control information to the client terminal in response to the first request and thereafter storing the display control information (col. 5, lines 45-50, When WWW server section 12 receives the URL from client machine 202, WWW server section 12 transmits an index file (index.html) that is a HTML document for displaying a file of a homepage main page (ST402));

transmitting a second request for display information to the data processing apparatus based on the stored display control information (col. 5, lines 51-53, The WWW browser at client machine 202 analyzes the content of index.html and transmits a command for requesting a necessary file to WWW server section 12 (ST403));

providing the display information from the data processing apparatus to the client terminal in response to the second request, said display information comprising an icon representative of a possible status of the data processing apparatus (col. 6, lines 1-6, Client machine 202 acquires the necessary files by providing the above file requests and displays the homepage main page (ST 405) including the respective icon for status composed based on the status file); and

transmitting the third request to the data processing apparatus subsequent to storing the display information, wherein in response to the third status request, the data processing apparatus transmits identification data identifying one of the icons representative of the status of the data processing apparatus to the client terminal, and the client terminal displays, based on the identification data, only the identified icon, wherein the identified icon is representative of the current status of the data processing apparatus (col. 7-8, lines 49-67, 1-4, When the update time passes with the status icons

displayed on the homepage main page (ST1003), client machine 202 reads the status html again from the network facsimile apparatus again and displays the status icons by the newly read status html).

lida '023 discloses a plurality of icons representative of a plurality of possible statuses (col. 7, lines 22-32, In the relation table, files names (gif file) of printer status icons are registered corresponding to respective printer status numbers), but does not disclose expressly transmitting a plurality of icons to the client terminal without being displayed until after a third request is transmitted.

Scherr '248 discloses providing the display information from the data processing apparatus to the client terminal in response to the second request, said display information comprising a plurality of icons, the display information being stored in the client terminal without being displayed until at least after a third request is transmitted, wherein the third request is transmitted after the display information is provided (col. 10, lines 19-27, pre-fetching the files referenced in the hypertext links will improve response times for such large files as sound, image and video).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to transmit a plurality of icons without being displayed until after a request. The motivation for doing so would have been to reduce the time required for the client terminal to receive images. Therefore, it would have been obvious at the time of the invention to combine Scherr '248 with lida '023 to obtain the invention as specified in claims 45 and 48.

Referring to **claim 51**, lida '023 discloses a data processing apparatus (network facsimile apparatus 201 of Fig. 3) which communicates with a client the client terminal (client machine 202 of Fig. 3), the data processing apparatus comprising:

means for storing display control information, said display control information for controlling the client terminal to display the status of the data processing apparatus (col. 5, lines 45-50, When WWW server section 12 receives the URL from client machine 202, WWW server section 12 transmits an index file (index.html) that is a HTML document for displaying a file of a homepage main page (ST402));

means for storing status information (col. 6, lines 1-6, Client machine 202 acquires the necessary files by providing the above file requests and displays the homepage main page (ST 405) including the respective icon for status composed based on the status file); and

means for communicating with the client terminal (col. 4, lines 23-28, WWW server section 12);

wherein the communication means is arranged to provide the display control information to the client terminal in response to a first request (col. 5, lines 45-50, When WWW server section 12 receives the URL from client machine 202, WWW server section 12 transmits an index file (index.html) that is a HTML document for displaying a file of a homepage main page (ST402)), provide display information comprising a icon representative of a possible status of the data processing apparatus to the client terminal in response to a second request (col. 6, lines 1-6, Client machine 202 acquires the necessary files by providing the above file requests and displays the homepage

main page (ST 405) including the respective icon for status composed based on the status file), and to provide current status update information to the client terminal in response to a third request, the current status update information being provided subsequent to providing the display information (col. 7-8, lines 49-67, 1-4, When the update time passes with the status icons displayed on the homepage main page (ST1003), client machine 202 reads the status html again from the network facsimile apparatus again and displays the status icons by the newly read status html), and

wherein the current status update information comprises identification data identifying one of the plurality of icons representative of the status of the data processing apparatus, and the client terminal displays, based on the provided identification data, only the identified icon, wherein the identified icon is representative of the current status of the data processing apparatus (col. 7-8, lines 49-67, 1-4, When the update time passes with the status icons displayed on the homepage main page (ST1003), client machine 202 reads the status html again from the network facsimile apparatus again and displays the status icons by the newly read status html).

Iida '023 discloses a plurality of icons representative of a plurality of possible statuses (col. 7, lines 22-32, In the relation table, files names (gif file) of printer status icons are registered corresponding to respective printer status numbers), but does not disclose expressly transmitting a plurality of icons to the client terminal without being displayed until after a third request is transmitted.

Scherr '248 discloses providing the display information from the data processing apparatus to the client terminal in response to the second request, said display

information comprising a plurality of icons, the display information being stored in the client terminal without being displayed until at least after a third request is transmitted, wherein the third request is transmitted after the display information is provided (col. 10, lines 19-27, pre-fetching the files referenced in the hypertext links will improve response times for such large files as sound, image and video).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to transmit a plurality of icons without being displayed until after a request. The motivation for doing so would have been to reduce the time required for the client terminal to receive images. Therefore, it would have been obvious at the time of the invention to combine Scherr '248 with Iida '023 to obtain the invention as specified in claim 51.

4. Claims 46, 47, 49, 50, 52 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iida Patent 6,785,023 and Scherr Patent 6,799,248 as applied to claim 45, 48 and 51 above, and further in view of Maki Patent 7,293,067.

Referring to **claims 46, 49 and 52**, Iida '023 discloses wherein the display information comprises an ordinary status icon, and a fault status icon (col. 6, lines 7-20, The symbol mark has different display colors according to statuses. It is, for example, designed that the color indicative of operating is green and the color indicative of error is red).

Iida '023 does not disclose expressly a slight fault status icon and a grave fault status icon.

Maki '067 discloses wherein the display information comprises an ordinary status icon, a slight fault status icon and a grave fault status icon (col. 8, lines 10-40, icon information indicates an operated state (ready), a paper shortage state (no paper), and a jam occurrence state (paper jammed) as shown in FIG. 9).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to indicate an error type. The motivation for doing so would have been to notify a user of the cause of a printer error so that corrective measures could be taken. Therefore, it would have been obvious at the time of the invention to combine Maki '067 with Iida '023 to obtain the invention as specified in claims 46, 49 and 52.

Referring to **claims 47, 50 and 53**, Iida '023 discloses wherein the data processing apparatus transmits a status information updating frame after transmitting a status information storing frame, wherein the client terminal constructs a frame from the status information storing frame and the status information updating frame (col. 7-8, lines 49-67, 1-4, When the update time passes with the status icons displayed on the homepage main page (ST1003), client machine 202 reads the status html again from the network facsimile apparatus again and displays the status icons by the newly read status html).

Scherr '248 discloses transmitting an updating frame after transmitting a non-displayed storing frame (col. 10, lines 19-27, pre-fetching the files referenced in the hypertext links will improve response times for such large files as sound, image and video).

lida '023 does not disclose expressly a slight fault status icon and a grave fault status icon.

Maki '067 discloses wherein the display information comprises an ordinary status icon, a slight fault status icon and a grave fault status icon (col. 8, lines 10-40, icon information indicates an operated state (ready), a paper shortage state (no paper), and a jam occurrence state (paper jammed) as shown in FIG. 9).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to indicate an error type. The motivation for doing so would have been to notify a user of the cause of a printer error so that corrective measures could be taken. Therefore, it would have been obvious at the time of the invention to combine Maki '067 with lida '023 to obtain the invention as specified in claims 47, 50 and 53.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER K. HUNTSINGER whose telephone number is (571)272-7435. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PETER K HUNTSINGER/
Examiner, Art Unit 2625

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625